

the missile wasn't presenting nose on. It undoubtedly struck not at normal instance, that is to say it was a certain obliquity, just in the nature of the way the shoulder is built.

Mr. SPECTER. Then do you think based on only the anatomical findings and the results of the tests which Dr. Olivier has performed that the scales are in equipoise as to whether the bullet passed through the President first and then through the Governor or passed only through the Governor?

Dr. LIGHT. Yes; I would say I don't feel justified in drawing a conclusion one way or the other on that basis alone.

Mr. SPECTER. Do you have any preference of any sort?

Dr. LIGHT. Yes; I do, for other reasons.

Mr. SPECTER. But only for the other reasons?

Dr. LIGHT. As I mentioned, their positions in the automobile, the fact that if it wasn't the way—if one bullet didn't produce all of the wounds in both of the individuals, then that bullet ought to be somewhere, and hasn't been found. But those are not based on Dr. Olivier's tests nor are they based on the autopsy report or the surgeon's findings in my mind.

(Discussion off the record.)

Mr. DULLES. On the record.

Mr. SPECTER. Dr. Light, do you have an opinion as to whether or not the wound inflicted on Governor Connally's wrist could have been caused by a fragment which struck the President's head?

Dr. LIGHT. It is barely conceivable but I do not believe that that is the case.

Mr. SPECTER. You say barely?

Dr. LIGHT. Barely conceivable. I mean a fragment probably had enough velocity, it couldn't have produced that wound, in my mind, but it can't be ruled out with complete certainty.

Mr. SPECTER. Do you have anything to add which you think would be helpful to the Commission in any way?

Dr. LIGHT. I don't believe I do.

Mr. SPECTER. Those are all the questions I have, Commissioner Dulles.

Mr. DULLES. Thank you very much indeed. I express our appreciation. I didn't realize these tests were being carried out. I am very glad they have been. It is a very useful thing to do and very helpful to the Commission. Thank you very much. I want to thank all three of you doctors for having so fully cooperated in this matter, and I think that these tests that you have run have made a real contribution to the Commission's work.

(Whereupon, at 5:10 p.m., the President's Commission recessed.)

Thursday, May 14, 1964

**TESTIMONY OF J. EDGAR HOOVER, JOHN A. McCONE, AND
RICHARD M. HELMS**

The President's Commission met at 9:15 a.m., on May 14, 1964, at 200 Maryland Avenue NE., Washington, D.C.

Present were Chief Justice Earl Warren, Chairman; Senator John Sherman Cooper, Representative Hale Boggs, Representative Gerald R. Ford, and Allen W. Dulles, members.

Also present were J. Lee Rankin, General Counsel; Norman Redlich, assistant counsel; Charles Murray and Walter Craig, observers; and Waggoner Carr, attorney general of Texas.

TESTIMONY OF J. EDGAR HOOVER

The CHAIRMAN. The Commission will be in order.

Director Hoover, will you please raise your right hand to be sworn, please. You solemnly swear the testimony you are about to give before the Commission

will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOOVER. I do.

The CHAIRMAN. Mr. Rankin will carry on the examination, Mr. Director.

Mr. RANKIN. Mr. Chief Justice, do you want to tell him briefly what our purpose is?

The CHAIRMAN. Oh, yes; it is our practice to make a brief statement before the testimony of each witness, and I will do it now.

Mr. Hoover will be asked to testify in regard to whether Lee H. Oswald was ever an agent, directly or indirectly, or an informer or acting on behalf of the Federal Bureau of Investigation in any capacity at any time, and whether he knows of any credible evidence of any conspiracy, either domestic or foreign, involved in the assassination of President Kennedy.

What he has to say about an article in the National Enquirer, Commission Exhibit No. 837, and concerning the failure to include the name and information concerning special agent Hosty in the initial report of the Oswald address book and any suggestions and recommendations he may have concerning improvements or changes in provisions for the protection of the President of the United States. Now, Mr. Rankin, you may proceed.

Mr. RANKIN. Mr. Hoover, will you state for the record your name and position?

Mr. HOOVER. J. Edgar Hoover, Director of the Federal Bureau of Investigation of the Department of Justice.

Mr. RANKIN. Where do you live, Mr. Hoover?

Mr. HOOVER. I live at 4936 30th Place, Northwest, Washington, D.C.

Mr. RANKIN. And you have been Director of the Bureau for some 40 years according to the newspapers?

Mr. HOOVER. That is correct; since 1924.

Mr. RANKIN. You have furnished us a considerable amount of information, Mr. Hoover, about whether or not Lee Harvey Oswald was ever an agent or acting for the Bureau in any capacity as informer or otherwise at any time. Are those statements correct?

Mr. HOOVER. They are correct. I can most emphatically say that at no time was he ever an employee of the Bureau in any capacity, either as an agent or as a special employee, or as an informant.

Mr. RANKIN. I call your particular attention to Exhibit 835, and suggest that you will find that that is your letter, together with your affidavit about this subject matter, and other matters that you furnished to us concerning this particular subject.

Mr. HOOVER. That is correct.

Mr. RANKIN. Do you wish to add anything?

Mr. HOOVER. No; there is nothing that I desire to add to what appears in this letter and my affidavit which accompanied it to the Commission.

Mr. RANKIN. You have provided many things to us in assisting the Commission in connection with this investigation and I assume, at least in a general way, you are familiar with the investigation of the assassination of President Kennedy, is that correct?

Mr. HOOVER. That is correct. When President Johnson returned to Washington he communicated with me within the first 24 hours, and asked the Bureau to pick up the investigation of the assassination because as you are aware, there is no Federal jurisdiction for such an investigation. It is not a Federal crime to kill or attack the President or the Vice President or any of the continuity of officers who would succeed to the Presidency.

However, the President has a right to request the Bureau to make special investigations, and in this instance he asked that this investigation be made. I immediately assigned a special force headed by the special agent in charge at Dallas, Tex., to initiate the investigation, and to get all details and facts concerning it, which we obtained, and then prepared a report which we submitted to the Attorney General for transmission to the President.

Mr. RANKIN. From your study of this entire matter of the assassination and work in connection with it, do you know of any credible evidence that has ever come to your attention that there was a conspiracy either foreign or domestic involved in the assassination?

Mr. HOOVER. I know of no substantial evidence of any type that would support any contention of that character. I have read all of the requests that have come to the Bureau from this Commission, and I have read and signed all the replies that have come to the Commission.

In addition, I have read many of the reports that our agents have made and I have been unable to find any scintilla of evidence showing any foreign conspiracy or any domestic conspiracy that culminated in the assassination of President Kennedy.

Representative FORD. May I ask this, Mr. Hoover. As I understand your testimony, it is based on the evidence that has been accumulated thus far?

Mr. HOOVER. That is correct, sir.

Representative FORD. Is the Federal Bureau of Investigation continuing its investigation of all possible ramifications of this assassination?

Mr. HOOVER. That is correct. We are receiving and we, I expect, will continue to receive for days or weeks to come, letters from individuals that normally would probably be in the category of what we would call crank letters in which various weird allegations are made or in which people have reported psychic vibrations. We are still running out letters of that character and in turn making a report to this Commission upon it, notwithstanding the fact that on the face of it the allegation is without any foundation. Individuals who could not have known any of the facts have made some very strange statements. There have been publications and books written, the contents of which have been absurd and without a scintilla of foundation of fact. I feel, from my experience in the Bureau, where we are in constant receipt over the years of these so-called crank letters, that such allegations will be going on possibly for some years to come.

I, personally, feel that any finding of the Commission will not be accepted by everybody, because there are bound to be some extremists who have very pronounced views, without any foundation for them, who will disagree violently with whatever findings the Commission makes. But I think it is essential that the FBI investigate the allegations that are received in the future so it can't be said that we had ignored them or that the case is closed and forgotten.

Representative FORD. Could you give us some idea of how many agents are currently working to one degree or another on any aspects of this case?

Mr. HOOVER. I would estimate, Congressman Ford, that there are at the present time at least 50 or 60 men giving their entire time to various aspects of the investigation, because while Dallas is the office of origin, investigation is required in auxiliary offices such as Los Angeles or San Francisco, and even in some foreign countries like Mexico. We have representatives in Mexico City.

At the outset of the investigation, following the assassination, it was the desire of the President to have this report completed by the Bureau just as quickly as possible, and as thoroughly as possible, and I would say we had about 150 men at that time working on the report in the field, and at Washington, D.C.

Now, all the reports that come in from the field are, of course, reviewed at Washington by the supervisor in charge of the case, and then in turn by the assistant director of the division, and then in turn by Mr. Belmont, who is the assistant to the Director.

Reports in which there is a controversial issue or where statements have been made of the existence of some particular thing that we have never heard of before, I myself, go over these to see that we haven't missed anything or haven't had any gap in the investigation so it can be tied down.

Recently the National Enquirer had a fantastic article in it as to the existence of a letter that had been written or a request that had been made by the Department of Justice to Chief Curry of the Dallas Police Department, to withhold arresting Rubinstein, or Ruby, and Oswald after the Oswald attempt on General Walker's life.

First, I had the agent in charge at Dallas interview Chief Curry and I have sent to the Commission a letter as to what Chief Curry had to say. He branded it as an entire lie—that he had never received any request of that kind. I had our files searched to be certain we had not written any such letter as that and found we had not. I requested the Department of Justice to advise me whether they had written any such letter and Mr. Katzenbach advises there is no ref-

erence in the Department files to the alleged letter from any Department of Justice official to Chief Curry nor any reference that an FBI official was asked to request the Dallas police not to arrest Oswald or Ruby. A letter is being sent to the Commission today setting forth this information.

Representative FORD. The point that I think ought to be made is that despite the magnitude of the effort that has been made by the FBI and by other agencies, and despite the tremendous effort that has been made, I believe, by the Commission to help and assist and to consolidate all of the evidence that we possibly could, that there is always the possibility at some future date that some evidence might come to the surface.

Mr. HOOVER. That is, of course, possible; yes.

Representative FORD. I want just to be sure that no leads, no evidence regardless of its credibility will be ignored, that it will be pursued by the Bureau or any other agency to make certain that it is good, bad or of no value.

Mr. HOOVER. Well, I can assure you so far as the FBI is concerned, the case will be continued in an open classification for all time. That is, any information coming to us or any report coming to us from any source will be thoroughly investigated, so that we will be able to either prove or disprove the allegation. We found in the course of our investigations that individuals have made statements. Yet, when we investigate they will frankly admit that the statement is an entire falsehood, or that they don't know why they wrote the letter or why they made the statement. But, nevertheless, we have the record and generally in those instances we try to get a signed statement from that individual so it can be made a part of the record.

Representative FORD. Under your authority from the President, the authority which gave you the FBI, the responsibility to conduct this investigation it is not an authority with a terminal point. It is an authority that goes on indefinitely?

Mr. HOOVER. Very definitely so. The President wanted a full and thorough investigation made of this matter, and we have tried to do so. As I have stated, I think we will continue to receive allegations. I think this will be a matter of controversy for years to come, just like the Lincoln assassination. There will be questions raised by individuals, either for publicity purposes or otherwise, that will raise some new angle or new aspect of it. I think we must, and certainly we intend in the FBI to continue to run down any such allegations or reports of that kind.

Representative BOGGS. Mr. Chairman.

The CHAIRMAN. Yes, Congressman Boggs.

Representative BOGGS. Mr. Hoover, I don't want any cover—to cover any ground which has been covered but I just have one or two questions. First, let me say that you and the Bureau have been very cooperative with this Commission.

Mr. HOOVER. Thank you.

Representative BOGGS. And tremendously helpful. I have been concerned about some of these wild press reports and concerned about what impact it may have ultimately on the history of this thing. For instance there is a man named Buchanan who has written a series of articles.

Mr. DULLES. A book now. A book is out; yes.

Representative BOGGS. A book now. I understand they have been widely circulated in the European press, and this man came here and was, as I got it from some other sources, he took in some people here, some American journalists, and I am told that this man has a Communist background, and in addition to that is a most unreliable person. He has made these allegations that the Dallas police force was involved in the assassination and so on.

Would you have any suggestions on how this Commission should deal with this sort of thing?

Mr. HOOVER. We have received a request from the Commission to review that book and to make a report upon any portions of it that can be contradicted or substantiated by actual facts or documents. I know Buchanan's background. He worked on the Washington Star and he was dismissed from the Washington Star because he was a member of the Communist Party. He spent much of his time in recent years in France writing for French newspapers. I have fol-

lowed the articles that he has written about this matter and they are what I would call "journalistic garbage." There is not a scintilla of truth to most of the things he has written in these articles and in his book which I have had a chance to scan but haven't actually reviewed yet. It is being reviewed by my research section. Some of the allegations are utterly fantastic. I often wonder where some of these individuals get such ideas and why they make such statements without foundation.

Now, he makes many wild charges there, and to read it, a person not knowing him, or his views, or his background, would be inclined to wonder. I think you are going to have that problem, as I say, for years to come. I don't know how you can handle individuals like him other than to have the record clear upon the facts of the case, and either substantiate or disprove his statements. I don't think too much time should be given to these individuals who have such unsavory backgrounds as Buchanan has and who makes statements that have been proved to be untrue. But, at the same time I think when a book like that comes out or an article of that type comes out that deals with the assassination of the late President, I think it should be gone into from an investigative point of view. We should then submit to this Commission, even after it has concluded its hearings, for record purposes, what we have found in each particular instance.

Representative Boggs. Now, on the other side of the fence——

Mr. DULLES. May I add one other thing just to interrupt. I wish you would add to your list a book called "The Red Roses of Dallas" by a man named Gun. He is a more reliable correspondent.

Mr. HOOVER. He is a Philadelphia correspondent.

Mr. DULLES. He has been living in this country since 1946. I have met him over here. Let's see, he was at Dallas at the time. He was then reporting, I think, for the Italian newspaper Epoca.

Mr. HOOVER. That is not the same one.

Mr. DULLES. He might have been lying. This book is full of lies. But I think it is a book that ought to be added, too, and I will see that a copy is sent to the Bureau.

Mr. HOOVER. I would appreciate that.

Representative Boggs. On the other side of the spectrum some professor out at the University of Illinois wrote a piece in which he alleged the President was a Communist agent, President Kennedy, and Buchanan's allegations are that the extreme right assassinated the President and this fellow's allegations are that the Communists assassinated the President. Would you care to comment? Have you read that piece?

Mr. HOOVER. I have read that piece. My comment on it is this in general: I think the extreme right is just as much a danger to the freedom of this country as the extreme left. There are groups, organizations, and individuals on the extreme right who make these very violent statements, allegations that General Eisenhower was a Communist, disparaging references to the Chief Justice and at the other end of the spectrum you have these leftists who make wild statements charging almost anybody with being a Fascist or belonging to some of these so-called extreme right societies. Now, I have felt, and I have said publicly in speeches, that they are just as much a danger, at either end of the spectrum. They don't deal with facts. Anybody who will allege that General Eisenhower was a Communist agent, has something wrong with him.

A lot of people read such allegations because I get some of the weirdest letters wanting to know whether we have inquired to find out whether that is true. I have known General Eisenhower quite well myself and I have found him to be a sound, level-headed man.

In New York City there is a woman by the name of Kraus who must be mentally deranged as she stands on a Broadway corner there handing out leaflets in which she charges me with being in the conspiracy with the Communists to overthrow this Government and so forth.

Well now, if any person has fought communism, I certainly have fought it. We have tried to fight it and expose it in democratic ways I think that is the thing we have to very definitely keep in mind in this whole problem in the

security of the President and the successor to office. Just how far you are going to go for his protection and his security. I don't think you can get absolute security without almost establishing a police state, and we don't want that. You can't put security in a black groove or a white groove. It is in a gray groove, and certain chances have to be taken. You are dealing with a human being when you are dealing with the President of the United States. President Johnson is a very down to earth human being, and it makes the security problem all the more difficult, but you can't bar him from the people.

There are certain things that can be done, and I submitted a memorandum to the Secret Service, and to the White House on certain security steps that might be taken and tightened up. But you are dealing with the general public and that is what has given me great concern in the recent expansion, of the criteria for dissemination that we adopted after the assassination.

Prior to that time we reported to the Secret Service all information that dealt with individuals who were potential killers or by whom acts of violence might be anticipated. The Secret Service would take that information and would do with it as they saw fit. I gave great consideration to it because I am not very happy with the criteria expansion, but I felt we had to include subversives of various character, and extremists. We have, in turn, furnished their names to the Secret Service. I think 5,000 names up to the present time already have been submitted and there are at least three or four thousand more that will be submitted within the next few months.

Then you come to the problem of what you are going to do when the Secret Service gets those names. They have to call upon the local authorities. Just recently, in the city of Chicago, when the President was there, the local authorities were asked to give assistance as they usually do to the Secret Service and they went to the homes of some of these people, and it resulted really almost in a house arrest.

Now, I don't think there is any place in this country for that kind of thing, but these people who belonged to extreme subversive organizations or organizations that advocated the overthrow of government by force and violence were told that they couldn't leave their house or if they did they would be accompanied by a police officer. That gives me great concern because in New York City alone, you run into maybe three or four thousand such individuals who would be members of subversive organizations, and then you get into the twilight zone of subversive fronts.

Now, there again, merely because a man belongs to a subversive front organization, in my estimation doesn't mean that he is blacklisted and is a menace to the country for life. If he belongs to 20 of them, it certainly shows either one of two things, he is either very gullible and dumb or he is a menace. That has been my attitude in regard to Government service where you find a Government employee who belonged to one or two, maybe in his early days. I don't believe this necessarily makes him a security risk. Rather, this would be dependent on the degree of his activity in the front group and his purpose and intent in associating himself with it. But where he has belonged to 15, 18, 20 of them, I don't think he has enough good judgment to be in the Government.

Some ministers get drawn into organizations, some of which are under the domination of the Communist Party. Now, those ministers don't know that. They are just as loyal and patriotic as you and I are, but they happen to belong. Now, that is where the question of human judgment has to be used. We try to use it in selecting these names. But I was startled when I learned of the incident in Chicago because there you come pretty close to a house arrest and we don't want that. We don't want a gestapo. We have to, I think, maintain an even balance.

I think it was very well expressed—

Mr. DULLES. May I ask you, Mr. Hoover, was this house arrest based on names you had furnished the Secret Service and they furnished the local authorities?

Mr. HOOVER. Yes, sir.

Representative Boggs. That brings me back to the question I think I heard

Congressman Ford ask you as I came into the room, because I think this is the crux of our investigation.

I read the FBI report very carefully and the whole implication of the report is that, number one, Oswald shot the President; number two, that he was not connected with any conspiracy of any kind, nature or description.

Mr. HOOVER. Correct.

Representative BOGGS. Do you still subscribe to that?

Mr. HOOVER. I subscribe to it even more strongly today than I did at the time that the report was written. You see, the original idea was that there would be an investigation by the FBI and a report would be prepared in such form that it could be released to the public.

Representative BOGGS. Surely.

Mr. HOOVER. Then a few days later, after further consideration, the President decided to form a commission, which I think was very wise, because I feel that the report of any agency of Government investigating what might be some shortcomings on the part of other agencies of Government ought to be reviewed by an impartial group such as this Commission. And the more I have read these reports, the more I am convinced that Oswald was the man who fired the gun; and he fired three times, killed the President, and wounded Governor Connally.

And I also am further convinced that there is absolutely no association between Oswald or Ruby. There was no such evidence ever established.

Mr. DULLES. Or Oswald and anybody else? Would you go that far?

Mr. HOOVER. Anybody else who might be—

Mr. DULLES. In connection with the assassination?

Mr. HOOVER. Yes; I would certainly go that far. There was suspicion at first this might be a Castro act.

Representative BOGGS. Right.

Mr. HOOVER. We had information that had been obtained in Mexico City by another intelligence agency indicating there was a man who had seen a certain amount of money passed to Oswald at the Cuban Consulate. I think it was \$6,000 that was passed. We went into that very thoroughly. The man later retracted his statement and stated it was not true. He was asked whether he would take a lie detector test, and he did. The lie detector test showed that he was telling a lie.

As to the lie detector, I do want to make this comment on it. I have always held to the opinion that it is not a perfect piece of machinery. It is an interpretation made by human beings of what the machine, the polygraph, shows. I would never want to convict or to send to the penitentiary any person solely on the evidence of the lie detector. It is a contribution in an investigation, a more or less psychological contribution.

But I have seen individuals who have failed the lie detector test and who were just as innocent as they could be. That particular lead in Mexico City was completely disproved; there was no foundation for it.

We found no associations between Oswald and Ruby. There has been a story printed that Ruby and Oswald worked together and were close friends.

There was no evidence, there was never any indication that we could find that Oswald had ever been in Ruby's nightclub or had had any association with him.

Ruby comes from Chicago, he was on the fringe of what you might call the elements of the underworld there. He came to Dallas, opened up the nightclub and it was a place where, certainly not the better class of people went, but it wasn't any so-called "joint," to use the vernacular. It was just another nightclub. So far as we have been able to establish there was no relationship or contact between Oswald and Ruby or anyone else allegedly involved in this assassination.

Representative BOGGS. The FBI interviewed practically everybody who ever associated with Oswald?

Mr. HOOVER. It did.

Representative BOGGS. You didn't find any indication of why anyone should even suspect that Oswald would do this, did you?

Mr. HOOVER. We found no indication at all that Oswald was a man addicted to violence. The first indication of an act of violence came after he, Oswald, had been killed, and Mrs. Oswald told us about the attempt on General Walker's life by Oswald. No one had known a thing about that.

I think in the Enquirer article there is reference to the fact that the Dallas Police knew or suspected Oswald of possibly being a party to the shooting into the house of General Walker. Chief Curry specifically denies that. There was no connection of that kind and there was no evidence that Oswald had any streak of violence.

We went back into his Marine Corps record. He was a "loner." He didn't have many friends. He kept to himself, and when he went abroad, he defected to Russia. The first evidence we had of him in our file was a statement to the press in Moscow. And then later, about 22 months later, he returned to the Embassy there and according to the report of the Embassy we have and which the Commission has been furnished, the Embassy gave him a clean bill. He had seen the error of his ways and disliked the Soviet atmosphere, et cetera, and they, therefore, cleared him, paid his way and paid his wife's way to come back to this country.

At no time, other than the so-called street disturbance in New Orleans, was there any indication that he might be a fighter. Well, in that particular instance he was handing out leaflets that he printed for the Fair Play for Cuba Committee, and some of the anti-Castro forces, we have several thousand of them in New Orleans alone, happened to see him and they moved in on him and immediately the police moved in and arrested him. I believe they fined him \$10 for disorderly conduct. There was no evidence in the place where he was employed in Dallas of acts of violence or temper or anything of that kind on his part.

Representative Boggs. You have spent your life studying criminology and violence and subversion. Would you care to speculate on what may have motivated the man? I know it would be just speculation.

Mr. HOOVER. My speculation, Mr. Boggs, is that this man was no doubt a dedicated Communist. He prefers to call himself a Marxist, but there you get into the field of semantics. He was a Communist, he sympathized thoroughly with the Communist cause.

I don't believe now, as I look back on it, that he ever changed his views when he asked to come back to this country. I personally feel that when he went to the American Embassy in Moscow originally to renounce his citizenship he should have been able right then and there to sign the renouncement. He never could have gotten back here. I think that should apply to almost all defectors who want to defect and become a part of a system of government that is entirely foreign to ours. If they have that desire, they have that right, but if they indicate a desire for it, let them renounce their citizenship at once.

That was not done. He stayed in Moscow awhile and he went to Minsk where he worked. There was no indication of any difficulty, personally on his part there, but I haven't the slightest doubt that he was a dedicated Communist.

There has been some question raised which cannot be resolved, because Oswald is dead, as to whether he was trying to kill the President or trying to kill the Governor. He had had some correspondence with the Governor as to the form of his discharge from the Marine Corps. It was not a dishonorable discharge, but a discharge less than honorable after he defected.

Governor Connally had left the Navy Department, and was back in Texas as Governor. Oswald may have had his anger or his animosity against the Governor, but no one can say definitely—that is mere speculation, no one can tell that, because the gun and the sighting of the gun was directed at the car.

Now, first, it was thought that the President had been shot through the throat that is what the doctors at the Parkland Hospital felt when he was brought in.

If that had been true, the shot would have had to come from the overpass. But as soon as the body arrived in Washington, the doctors at Bethesda Hospital performed the autopsy and it was then determined definitely from their point of view that he had been shot from the rear, and that portions of the skull had been practically shot off. There was no question but that the gun and the telescopic lens could pinpoint the President perfectly. The car was moving

slowly. It wasn't going at a high rate of speed, so that he had perfect opportunity to do it.

Now, some people have raised the question: Why didn't he shoot the President as the car came toward the storehouse where he was working?

The reason for that is, I think, the fact there were some trees between his window on the sixth floor and the cars as they turned and went through the park. So he waited until the car got out from under the trees, and the limbs, and then he had a perfectly clear view of the occupants of the car, and I think he took aim, either on the President or Connally, and I personally believe it was the President in view of the twisted mentality the man had.

But he had given no indication of that—we had interviewed him, I think, three times. Of course, our interviews were predicated to find out whether he had been recruited by the Russian intelligence service, because they frequently do that.

Representative Boggs. And had he been?

Mr. HOOPER. He had not been, so he said, and we have no proof that he was. He had been over there long enough but they never gave him citizenship in Russia at all. I think they probably looked upon him more as a kind of a queer sort of individual and they didn't trust him too strongly.

But just the day before yesterday information came to me indicating that there is an espionage training school outside of Minsk—I don't know whether it is true—and that he was trained at that school to come back to this country to become what they call a "sleeper," that is a man who will remain dormant for 3 or 4 years and in case of international hostilities rise up and be used.

I don't know of any espionage school at Minsk or near Minsk, and I don't know how you could find out if there ever was one because the Russians won't tell you if you asked them.

They do have espionage and sabotage schools in Russia and they do have an assassination squad that is used by them but there is no indication he had any association with anything of that kind.

Representative Boggs. Now we have some people, including this man's mother, talk about Oswald having been an agent of the Government of the United States. I think his mother mentioned the CIA; she has made these statements publicly for money, apparently.

Mr. HOOPER. Yes; she has.

Representative Boggs. Just for the purpose of the record, I think it would be well if you would comment on that, Mr. Director.

Mr. HOOPER. Of course, we have interviewed his mother and his wife, and all his relatives, and everybody that he is known to have associated with. His mother I would put in a category of being emotionally unstable. She has been around the country making speeches, and the first indication of her emotional instability was the retaining of a lawyer that anyone would not have retained if they really were serious in trying to get down to the facts. But she has been in New York City; she has been in Chicago; I think other parts of the country, always speaking for money.

Now, that kind of an individual is the type we have seen over the years, who will say almost anything to draw a crowd. Just to be able to say something sensational. Many times we have gone out to such people and asked them specifically, "Now, what is your basis for this?" And they will say, "Well, I just had a feeling that that was true, so I said it."

She has never made that statement to us, but we have many other instances where that kind of statement is made. They don't have the legal evidence that you must have if you are going to take any positive action. I would put very little credence in anything that his mother said.

I think his wife was a far more reliable person in statements that she made, so far as we were able to ascertain, than his mother. I think the mother had in mind, naturally, the fact she wanted to clear her son's name, which was a natural instinct, but more importantly she was going to see how much money she could make, and I believe she has made a substantial sum.

Representative Boggs. And the allegations she has made about this man being an agent either of the CIA or the FBI are false?

Mr. HOOPER. Well, I can certainly speak for the FBI that it is false, and I

have discussed the matter, naturally, with Mr. McCone, the Director of CIA, and he, of course, will no doubt appear himself, but there is no indication at all that he was employed by them. We frequently get that kind of a story from individuals who, when they get into some kind of difficulty, will claim they were working for the CIA or they were working for the FBI.

Representative Boggs. Surely.

Mr. HOOVER. Now, no one can work for the FBI without the approval being given at Washington and a record kept of it, even of the confidential informants. That is very tightly controlled. We have no so-called lump sum that we can use to hire people. So there has to be a voucher and specific details of payment. And I know at no time was he an informant or agent or a special employee or working in any capacity for the FBI.

As to the interviews we had with him in which he gave us some information, some of it was not the truth, but this was not particularly significant. The interviews we had with him I would not term as talking with an informant. He was interviewed while under arrest by the New Orleans police, and then after he had committed this act of assassination we interviewed him in police headquarters in Dallas. But they were the only contacts we had, I think four contacts altogether, and he received no money of any kind, no promise of any kind, and there was no indication that he was rendering assistance to the U.S. Government. We looked upon him as a criminal after the assassination, of course, and prior to that time we looked upon him as an individual who we suspected might become an agent of the Soviet government. There was no proof of that, and we checked him carefully.

We knew of his contact with the Soviet Embassy here at Washington, his contact with the Fair Play for Cuba Committee in New York, and his contact with the Worker publication in New York. And none of those contacts gave any indication of any tendency to commit violence.

There are many people who read the Daily Worker, or what is now the Worker, and you certainly can't brand them as hazards to the security of the country or as potential assassins. It is in that area that I am particularly concerned that we don't become hysterical and go too far in restricting the citizens of our country from exercising their civil and constitutional rights. The mere fact a person disagrees with you in a matter on communism doesn't mean he should be arrested. Many Communists make very violent speeches, and we know them, but I don't feel that the time has come that they should be arrested. If they have violated the laws of the United States, we will, then, proceed with prosecution, and the cases can then go through the courts. Such cases last for years before they get to the Supreme Court, and even then such cases often start over on some legal angle. But, all in all, I think that the enforcement of security and the enforcement of laws dealing with subversion ought to be handled in the American manner.

I am criticized by the extreme right for that. They put me in the category, I guess, along with General Eisenhower. But the extreme left criticizes me, saying I believe that any person who has on a red necktie may be addicted to communism, and, therefore, is a great danger. That is why I say the extremists at both ends are bad, and I have repeated that several times publicly.

Representative Boggs. No doubt about the problem being a difficult one. I remember some years back when these fanatics started shooting up the House of Representatives.

Mr. HOOVER. I recall that.

Representative Boggs. I happened to be there on the occasion and there were many suggestions that we build a bulletproof glass enclosure around the Members of Congress and so on. Of course, all of us rejected those ideas because it would be totally incompatible with our democratic institutions and this, obviously, becomes a problem in the security of the President; that is what you are telling us, isn't it?

Mr. HOOVER. That is the great problem. We have participated in the protection of the President since the assassination. The Secret Service indicates how many agents it needs when the President is traveling somewhere or going somewhere in Washington, and then I assign that number of agents to the Secret Service. They are not under my direction. They are under the direction

of the Secret Service because under law they are charged with the protection of the President. We have never done that before, but I felt that it was something we must do if the Secret Service desired it. Sometimes, such as at the funeral of the late President Kennedy, the procession walked up Connecticut Avenue, which created a very, very grave security problem because they were walking with these tall buildings on either side. As I recall, we had the responsibility for the Cathedral, and we had 43 agents in the Cathedral, during the services. I was more concerned about these tall buildings, because all the small buildings have been torn down along Connecticut Avenue, and there were about six or seven blocks to walk. Not only the high officials of this Government, including the President, but the Queen of Greece, General de Gaulle, Emperor Haile Selassie, and many Prime Ministers were present. They were a perfect target for someone in some window.

Now, you can't empty these buildings. It is impossible to do that, because you can't go to the Mayflower Hotel and say all front rooms must be vacated. Other office buildings are there, even taller than the Mayflower, and you can't make them keep everybody out of the front offices because then you get into a police state.

The Secret Service does try to check to find out who have these various offices. We also check so if there is anything in our files on those individuals the Secret Service is at once advised. When the President goes to a banquet or a social occasion, all of the employees in the hotel, the cooks, waiters, and busboys, and so forth, are all checked by Secret Service to be certain there is no one with a background that would indicate a hazard to the President. But that is as far as I think you can go. You can't put in a whole new staff of waiters and you can't make people move out. People going to a Presidential function are generally invited by card or by list, and that is very carefully checked at the entrance by the Secret Service.

We suggested a few more things that possibly could be done, and some of which I have doubts about. You speak about this matter of glass around the galleries in the House. One of the suggestions that we made was that there be bulletproof glass in front of the President's lectern. In my own mind, I question whether that is wise. Knowing this President as this President is, he wants to get close to the audience; he wants to reach over and shake hands with people. That concerns me because you never know when an emotionally unstable person may be in that crowd. As you noted, he has frequently brought groups into the White House gardens and walked around with people he didn't know. I know the Secret Service people are concerned about it. I am concerned about it.

President Truman last week expressed his concern that the President was taking unnecessary chances.

But the governmental agency having the responsibility for guarding him, the Secret Service, has a natural hesitancy to say, "You can't do this."

Representative Boggs. Of course, for the record, President Kennedy had the same difficulty.

Mr. Hoover. That is right. It was best expressed at Parkland Hospital. One of President Kennedy's staff made the statement that the whole fault in this matter was that, in the choice between politics and security, politics was chosen. That is exactly what happened. It was an open car. I am thoroughly opposed to the President riding in an open car.

They did not have any armored car in the Secret Service at that time. I have now sent one of our armored cars over for the President, but it is a closed limousine. But on occasion, such as at Gettysburg and Atlanta the other day, the President got out of the armored car which had been flown there for his use, and commandeered the car of the Secret Service which is wide open, so he could wave and see the people. Now, that is a great hazard. I think he should always be in an armored car that is closed, that can't have the top put down. But as you recall, President Kennedy had the bubble top off of the car that he was in. It was not armored and the bubble top was made of plastic so a bullet could have gone through it very easily.

Representative Ford. Mr. Hoover, you have categorically testified that the

FBI never at any time had Oswald as an agent, as an informant, or in any other way.

Mr. HOOVER. That is correct. I couldn't make it more emphatic.

Representative FORD. And Mr. Belmont testified to the same last week when he was before us.

Mr. HOOVER. Yes, sir.

Representative FORD. Both you and he would be fully familiar with all of the records of the FBI in this regard?

Mr. HOOVER. We would, and we would not only be fully familiar with it because while Mr. Belmont is in charge of the Investigative Branch of the Bureau—we have two assistants to the Director, one in charge of administrative work and the other in charge of investigative work—we have also checked the administrative records where vouchers or payments would have been made and there is no indication that any money was ever paid to Oswald. We have obtained, and they are on file with the Commission, the affidavits of the agents, who at various times were in contact with Oswald, to the effect that he was not an informant; that they had never paid him anything; that he was being questioned as to possible recruitment by the Soviet intelligence; so there was no evidence at any time indicating employment by the FBI.

Representative FORD. And you were not under any limitation or restriction from any other authority in this regard?

Mr. HOOVER. Absolutely not. I have the entire control of whether a man shall be an informant or shall not be an informant. That comes under my chain of command from the local office which has the matter at hand. They can't just put on an informant without our approval. The recommendation on security informants comes to the Bureau; it goes through the Assistant Director of the Domestic Intelligence Division, and, in significant cases, goes to Mr. Belmont, and then to my desk for my specific approval. So I, or my seat-of-government staff, have to approve every one of those who are used as informants in all classes of cases, not only in intelligence cases but in white-slave cases, automobile thefts, and all of these cases.

Representative FORD. There is no limitation on what you can tell us about this situation?

Mr. HOOVER. None whatsoever.

Representative FORD. No limitation; no restrictions?

Mr. HOOVER. No restriction. So far as the record of vouchers in the Bureau are concerned, they are open to the inspection of this Commission at any time going back as far as you may want to go.

Senator COOPER. May I ask just one question there? I think you have answered it, but in your examination of this aspect as to whether or not Oswald was an informer or employee or held any relationship to the FBI, you, yourself, have looked into all of the means you have of determining that fact when you make the statement to us?

Mr. HOOVER. I have personally looked into that for two reasons: Because the President asked me personally to take charge of this investigation and to direct it, and I knew that the report ultimately would be made to him. For that reason I became familiar with every step and every action that was taken. Then when the allegation was made by someone—I think it was the mother of Oswald first, if I recall correctly—that he was employed by some Government agency, the CIA, or FBI, and maybe both, I insisted upon a check being made and any record showing any indication of that being brought to me. When they could find none, I then asked for affidavits from the field force that had dealt with Oswald as to whether they had hired him or paid him anything or given him anything, and the affidavits are on file here that they had not.

Senator COOPER. I think you have said there is no sum available to the FBI which would enable these men, these agents, to employ him out of any funds that are made available to them.

Mr. HOOVER. Oh, no; it must be done by voucher, and those vouchers are examined by the General Accounting Office every year or so. We have no lump sum in the field offices for employment of informants as such which is not supported by vouchers.

Senator COOPER. I have just about two questions, I may have to go in a few

minutes to the Senate. I would like to direct your attention to that period of time when Oswald was a defector, beginning when he left the United States and when he returned.

Mr. HOOVER. Yes, sir.

Senator COOPER. During that period, did the FBI have any jurisdiction over intelligence regarding him, or any capacity to know?

Mr. HOOVER. While he was in Russia?

Senator COOPER. Yes.

Mr. HOOVER. No; we did not. We were interested in knowing what he might say in Russia that appeared in the press. That was our first intimation that this man had defected, when we read it in a newspaper article. We were, of course, interested in knowing when he would return or if he would return. We had no jurisdiction as to what he was doing in Russia after he had gone there.

Senator COOPER. As I understand it, you had no capacity at that time to follow his activities?

Mr. HOOVER. That is true. We have no agents in Russia. Foreign intelligence is handled by the Central Intelligence Agency, and our responsibility is domestic. We work very closely together.

Senator COOPER. Have you had the jurisdiction since the assassination or the occasion to examine persons connected with the State Department concerning the activities of Oswald in Russia?

Mr. HOOVER. Well—

Senator COOPER. Would that be a matter for some other agency?

Mr. HOOVER. That could be a matter for CIA or for us after Oswald had returned here.

Senator COOPER. Yes.

Mr. HOOVER. Then he becomes a civilian in the country here. Now, there is what we call a delimitation agreement among the Government intelligence agencies. For instance, the military branches of the Government have their own intelligence services and they handle all military deviations in regard to espionage or things of that kind. If they want our assistance and ask for it we, of course, will always cooperate. In regard to CIA, there are many cases which CIA and the FBI work jointly on, of individuals that may have been recruited over in Europe by the CIA, not by us, because we don't have authority to do that abroad, but when that man comes to this country, the best ends of intelligence are served by having the two agencies work very closely together, conduct joint interviews, and exchange information very, very freely. That has been going on ever since I can recall CIA being existence.

Mr. DULLES. I would like to testify to the fact that cooperation existed during the whole period I was Director, and I am sure it has continued now with great cooperation on both sides.

Mr. HOOVER. It is a very necessary thing, because the intelligence agency of many of these foreign countries will cover the whole world and the country itself. Whereas in this country you have separate agencies covering espionage activities. CIA covers the foreign activity, and the FBI the domestic activities, and they must be interlocking. An espionage agent of the Soviet Government can arrive in New York today by plane from Paris and he can be in Mexico City tomorrow. Then, CIA would pick him up there. We would not pick him up there. We would watch him while in this country, but as soon as he takes that plane and leaves the United States CIA moves in on him. If he comes back to the United States, we move in on him. Therefore, we have a very close liaison.

As a matter of fact, what we have done in government agencies is to have a liaison agent in our Bureau assigned to contact CIA, the Pentagon, State Department, and various other agencies to cut out the red tape of writing letters back and forth. In order to orally relay information which has come to his attention, our representative can immediately phone it over to the FBI, and if there is need, for instance, to meet a plane coming in to New York or a boat that is docking at New York, it is all accomplished within a matter of 45 minutes or an hour.

If you went through this letter-writing process and the paper war that goes on so often in the Government it might take a week or 10 days.

The FBI does have 10 legal attaches attached to 10 embassies abroad. Their purpose is not operational. They don't investigate in those countries any matters that have to be investigated. That, if it is to be done, is handled by CIA. Our purpose in being there is to maintain liaison with our opposite number such as the Surete Nationale in France and with the national police in the Philippines, to exchange information that is vital to our internal security, and also vital to the internal security of the other country.

Senator COOPER. May I ask one other question?

Is there any, considering the number of defectors in the United States to Communist countries, which cannot be large, I would assume——

Mr. HOOVER. I think there are about 36.

Senator COOPER. Which would indicate, I would think either a lack of reliability on their part and stability or beyond that a dedicated purpose to become Communists, then upon their return, wouldn't it seem to you they should be given some special attention?

Mr. HOOVER. We have now——

Senator COOPER. To determine whether they are a risk to become Soviet or Communist espionage agents or in fact become dangerous?

Mr. HOOVER. We have taken steps to plug that gap.

Prior to the assassination of the President, a defector, before he came back was always cleared for return by a representative of the State Department or the military abroad. When he came back we immediately interviewed him if he was a civilian. It had to be done promptly to determine whether he could be a potential intelligence agent.

Now, in December of last year, following the assassination, we expanded the criteria of what should be furnished to the Secret Service, and all defectors automatically go on the list to be furnished to the Secret Service.

There are 36 defectors that we know of in this country who have been under investigation. Some of those men may have changed their views sincerely. Some of them may not have. But as a matter of general precaution, as a result of the Oswald situation, we are seeing that all go to the Secret Service.

Mr. DULLES. That includes military defectors, does it not?

Mr. HOOVER. Military defectors and defectors from any private agency, after they return to the U.S. and become civilians. Some have defected to China, to the satellite nations and to Russia.

Senator COOPER. Just one other question, because I have to go.

In the course of this investigation, as you know so well, there have been a number identified who were very close, at least to Mrs. Oswald, and a few, I can't say that were close to Oswald yet they had association with him, such as the man who drove him back and forth, Mrs. Paine, with whom Mrs. Oswald lived, and others, has there been any credible, I won't say credible because if you had you would have presented it to us in your report, has there been any claims by persons that these people are in any way related to the Communist Party?

Mr. HOOVER. We have had no credible evidence that they have been related to the Communist Party in this country.

Now, as to Mrs. Oswald, the wife of Oswald, there is no way of knowing whether she belonged to the Russian Communist Party in Russia. She is a rather intelligent woman, and notwithstanding that you have to talk with her through an interpreter, we have had no indication of her association with Communists in this country, nor have any of her close friends or relatives.

As to his mother, we found no indication she is associated or closely associated with the Communists. She is the only one of the group that we have come in contact with that I would say is somewhat emotionally unstable. Our agents have interviewed her. She sometimes gets very angry and she won't answer questions. As to the rest of the group who had been friends of his, or worked with him in the Texas School Book Depository, none of them have indicated any Communist associations of any kind.

Senator COOPER. Thank you.

Mr. HOOVER. Thank you.

Mr. RANKIN. Mr. Hoover, I hand you Exhibit 863 and ask you to examine that and state whether or not that is the letter that you referred to in which you answered questions of the Commission concerning the National Enquirer magazine or newspaper?

Mr. HOOVER. This letter of May 8 addressed to the Commission is the letter that dealt with our interview with Chief Curry and was predicated upon the article which appeared in the National Enquirer of May 17, 1964.

Mr. RANKIN. I ask you if you would care to add anything to that letter except what you have already testified to?

Mr. HOOVER. No; I have nothing to add to that. Chief Curry was very specific, I am told by my agent in charge at Dallas, that this article is an absolute lie; that none of these things set forth in the article occurred; that he received no phone call or any request of any kind oral or by phone or in writing from the Department of Justice or from the FBI. As I stated earlier, the report from the Department of Justice indicated that they made no request.

Mr. RANKIN. Mr. Chairman, I offer in evidence Exhibit 863, being the letter just referred to.

The CHAIRMAN. It may be admitted.

(The document referred to was marked Commission Exhibit No. 863 for identification and received in evidence.)

Mr. RANKIN. Mr. Hoover, is Exhibit 837 the article that you referred to in the National Enquirer?

Mr. HOOVER. Yes; that is the one.

Mr. RANKIN. I call your attention to Exhibit 836 and ask you if that is the letter that you referred to which describes the criteria in the handling of the security of the President that you have described in your testimony.

Mr. HOOVER. This is the letter. It sets forth the criteria which were adopted, originally about 1942 and later incorporated in the manual of instructions in 1954. It also includes the amended instructions to our field offices, prepared in December of 1963, which extended the criteria.

Mr. RANKIN. Does that Exhibit correctly set forth the information you had in regard to those matters?

Mr. HOOVER. It does.

Mr. RANKIN. Do you care to add anything to it?

Mr. HOOVER. No; I have nothing to add to it at all.

Mr. RANKIN. Now, in light of what happened, Mr. Hoover, I think the Commission would desire to have your comments or whatever you care to tell them, concerning the reasons why you did not furnish the information you had concerning Lee Harvey Oswald to the Secret Service prior to the time of the President's assassination.

Mr. HOOVER. Well, I have gone into that very thoroughly because that was obviously one of the questions that I had in my mind when the tragedy occurred in Dallas.

In going back over the record, and I have read each one of the reports dealing with that and the reports of Mr. Hosty who had dealt with the Oswald situation largely in Dallas, we had the matter that I have previously referred to, the report of the State Department that indicated this man was a thoroughly safe risk, he had changed his views, he was a loyal man now and had seen the light of day, so to speak.

How intensive or how extensive that interview in Moscow was, I don't know. But, nevertheless, it was in a State Department document that was furnished to us.

Now, we interviewed Oswald a few days after he arrived. We did not interview him on arrival at the port of entry because that is always undesirable by reason of the fact it is heavily covered by press, and any relatives generally are there, so we prefer to do it after the man has settled down for two or three days and become composed. We do it in the privacy of our office or wherever he may be, or in his own home or apartment. We interviewed him twice in regard to that angle that we were looking for. We had no indication at this time of anything other than his so-called Marxist leanings, Marxist beliefs.

We wanted to know whether he had been recruited by the Soviet government as an intelligence agent, which is a frequent and constant practice. There is not a year goes by but that individuals and groups of individuals, sometimes on these cultural exchanges, go through Russia and recruits are enlisted by the Russian intelligence, usually through blackmail. The individual is threatened that if he doesn't come back to this country and work for them they will expose the fact that he is a homosexual or a degenerate or has been indiscrete.

Pictures are usually taken of individuals who become implicated in that sort of thing, so the individual is really desperate. Such blackmail has occurred year after year for some time.

In Oswald's case we had no suspicion that any pressure like that had been brought to bear on him because he had gone voluntarily and had obviously wanted to live in Russia and had married a Russian woman.

After those interviews had been completed, the next incident was the difficulty he had at New Orleans. We were concerned there as to whether he was functioning officially for the Fair Play for Cuba Committee which was financed and supported by Castro and Castro's government, and if he was, where he obtained money and with whom he had dealt.

He apparently had the leaflets printed himself on plain ordinary paper. There was no reason for us, then, to have any suspicion that he had any element of danger in him.

However, we did not ignore or forget the fact that he was still in the country. We kept track of him when he went from New Orleans to Dallas, and that was one of the reasons why Hosty went to the home of Mrs. Paine. She told us where Oswald was working, at the Texas book house. Hosty gave her his telephone number and his name so that if there was any information or any contact she wanted to make she could phone him at the Dallas office.

Mrs. Oswald, the wife, took down the license number of Hosty's car which was incorrect only in one digit. The name, the telephone number, and the automobile license were later found in Oswald's memorandum book.

However, that in itself was not significant because many times we will go to see a person and tell him now, "If you think of anything you want to tell us or you have any information you want to give us, here are my name and address, telephone number, and call me," and that is what was done with Mrs. Paine because Hosty wasn't there at the time. He was at work.

Incidentally, those items in Oswald's notebook requiring investigative attention were first set out in an investigative report of our Dallas Office dated December 23, 1963. This report was not prepared for this Commission but rather for investigative purposes of the FBI and, therefore, the information concerning Hosty's name, telephone number and license number was not included in the report as the circumstances under which Hosty's name, et cetera, appeared in Oswald's notebook were fully known to the FBI.

After our investigative report of December 23, 1963, was furnished to the Commission, we noted that Agent Hosty's name did not appear in the report. In order that there would be a complete reporting of all items in Oswald's notebook, this information was incorporated in another investigative report of our Dallas Office, dated February 11, 1964. Both of the above-mentioned reports were furnished to the Commission prior to any inquiry concerning this matter by the President's Commission.

There was nothing up to the time of the assassination that gave any indication that this man was a dangerous character who might do harm to the President or to the Vice President. Up to that time, as has been indicated.

Mr. RANKIN. Mr. Hoover, may I interrupt, you said Hosty was not there at the time, he was at work—did you mean Mr. Oswald?

Mr. HOOVER. That was my mistake. I meant Mr. Oswald. Hosty talked with Mrs. Paine and Mrs. Oswald. Mrs. Paine speaks Russian and she could interpret for her.

Oswald was at the Texas Book Co., and then, as I say, Hosty left his telephone number and name, and Mrs. Oswald for some reason took down the license number. I don't know whether she was convinced this was an agent of the FBI, or why she did it.

But, anyway, that was in the book that was later found, and which contained many other things that Oswald had entered in the book.

Now, as I say, up to that time, there had been no information that would have warranted our reporting him as a potential danger or hazard to the security or the safety of the President or the Vice President, so his name was not furnished at the time to Secret Service.

Under the new criteria which we have now put into force and effect, it would have been furnished because we now include all defectors. As to the original criteria, which we felt were sound and sufficient and which we felt no one, not even the most extreme civil rights proponent could take exception to, we limited the furnishing of names to S.S. to persons potentially dangerous to the physical well being of the President. We included emotionally unstable people who had threatened the President or Vice President.

At my office during the course of a week there are sometimes three or four callers who have to be taken to a Hospital because of their mental condition. They claim they are being persecuted by radio beams and they want to see me or the President to have those beams stopped. Now you never know what tangent they are going to take. If such a person is living in some part of the country where the President may be going his name would be furnished to the Secret Service.

One car last year, I think, crashed through the gates of the White House; the person driving wanted to see the President. The guard wouldn't let him in and so the car crashed through and got within 20 feet of the first door. The guards, by that time, had their revolvers out and took him into custody.

Last year a gentleman drove all the way from Arizona to see me. He drove up the marble steps of the Department of Justice, and by that time the guards had come out and took him into custody. I think he was incarcerated in Arizona.

People of this type are among those we would have furnished to the Secret Service. They have the potential to harm somebody.

We get names from members of Congress, of people who come to the Capitol and try to threaten them or harass them. They let us know about it, and we make the investigation or advise the police. If we can get the family to have the person put into an institution, we try to do so. If they don't, we may take steps to have him incarcerated through other legal means.

Mr. DULLES. How many names, Mr. Director, in general, could the Secret Service process? Aren't their facilities limited as to dealing with vast numbers of names because of their limited personnel?

Mr. HOOVER. I think they are extremely limited. The Secret Service is a very small organization and that is why we are fortifying them, so to speak, or supplementing them by assigning agents of our Bureau which is, of course, quite a burden on us. Our agents are assigned about 24 to 25 cases per agent and cover such involved matters as bankruptcy and antitrust cases.

Now, the Secret Service has a very small group and I would estimate that the names we have sent over number some 5,000. I would guess there are about another 4,000 that will go over in the next month to them. Frankly, I don't see how they can go out and recheck those names. We keep the records up to date; if additional information comes in on these names we furnish it to the Secret Service. They will have to call upon the local authorities, unless the Secret Service force is enlarged considerably so that they can handle it entirely on their own. I think the Secret Service is entirely too small a force today to handle the duties that they are handling. The great crowds that are at the White House all the time, around the gates, that go to church where the President goes, all of those things, of course, have to be checked over by them. They always check in advance and just recently, a few Sundays ago, they found some individuals in the basement of St. Mark's church in Washington, where he was going to attend on Sunday morning. His arrival was held up until they could ascertain who they were. They were deaf mutes whose identity had not been cleared with the Secret Service.

Now, the Presidential party was delayed about 5 or 10 minutes in reaching the church by reason of the radio call to the White House to hold it up.

We are giving to Secret Service more and more names. The total, in addition to the names they already had, will reach 10,000. I don't see how they are

going to be able to handle the situation as they would want to handle it. They have to depend upon local police organizations. Many local police departments are capable and efficient; some are not. Many have good judgment and some have not. Wherever you have a police department of 10,000, 15,000, 20,000 men you are bound to find a few who will just barge in and do something which better judgment would dictate should not be done, as in the incident which occurred in the Midwest where they placed people practically under house arrest. I think it was very bad judgment and should not have been done but the Secret Service, of course, turned the names over to the local authorities, and the local authorities do what they think is right.

Now, I guess their attitude with all justice to them is, "Well, we will resolve the risk in our favor. If we keep these people under surveillance and keep them in the house until the President gets out of town nothing can happen from them." That is what you would call totalitarian security. I don't think you can have that kind of security in this country without having a great wave of criticism against it. There is a great tendency for people to expect the intelligence forces and the law enforcement agencies to be able to go out and arrest people and bring them in and hold them endlessly and talk to them. We can't arrest a person, without probable cause, or unless he commits a crime in our presence. We have to arraign him promptly and if not done promptly, the confession that he may have made generally cannot be used against him.

Just as a collateral matter we faced that problem in California in the case of the kidnapping of Frank Sinatra, Jr. One of the kidnappers we arrested near San Diego confessed but we didn't arraign him because the other kidnappers would have left California and it would have been difficult to find them. However, the next day after arraignment he made changes in the confession and signed it so the court held that it was admissible.

The Secret Service, of course, is faced with the same problem. They just can't arrest people because they may not like their looks. They have to have facts justifying detention but the public conception is that you have a full right to go out and do these things. We have stressed in the FBI that there must be full compliance with the laws of this country and with the decisions of the Supreme Court. That is the law of the country. Now, whether a person likes it or not and there are some groups that are very violent against the decisions of the court while others are very much in favor of them, it is not for the FBI to take sides. We have a job to do and we do it under the rulings of the courts and we have been able to do it effectively.

I know when the ruling came down on the prompt arraignment, there was great shouting and some strong editorials claiming that it was going to wreck law enforcement. It hasn't wrecked us. It has made it more difficult but I think we have to face up to the fact that law enforcement in a free country must abide by the laws of that country irrespective of how difficult it is. Some persons talk about putting handcuffs on the law enforcement officers and taking them off the criminals. That is a nice catch phrase to use in a speech or article but operating within the law has not interfered with our work.

Mr. RANKIN. Mr. Hoover, I ask you about Exhibit 825 which is first a letter and then encloses certain affidavits of your agents.

Mr. HOOPER. Yes, sir.

Mr. RANKIN. You are familiar with that?

Mr. HOOPER. I am familiar with that. I read all of that and signed it.

Mr. RANKIN. You know those are the affidavits in regard to whether Lee Harvey Oswald was an agent or connected in anyway with the Bureau that you have just testified to?

Mr. HOOPER. That is correct; and the affidavits of all agents, who had any contact with him.

Mr. RANKIN. I call your attention to Exhibits 864 and 865, and ask you if you have seen those before or, you have seen the original of 864 and 865 is a photostatic copy of your letter to us in answer to 864, is that correct?

Mr. HOOPER. That is correct; yes. I recall very distinctly.

Mr. RANKIN. Do you recall those letters involved an inquiry as to any connections of Lee Harvey Oswald with Communists or any criminal groups or others that might be conspiratorial?

Mr. HOOVER. That is correct; and my letter of April 30 states the facts as they are in our files.

Mr. RANKIN. Mr. Chairman, we offer in evidence Exhibits 864 and 865.

The CHAIRMAN. They may be admitted.

(Commission Exhibit Nos. 864 and 865 were marked for identification and received in evidence.)

Mr. RANKIN. Mr. Hoover, do you have any suggestions that you would like to tell the Commission about of your ideas that might improve the security of the President, and you might comment upon information the Commission has received. You have a special appropriation that is related to that area.

Mr. HOOVER. Well, I, at the request of—

The CHAIRMAN. Director, before you get into that question, and may I ask something that I would like to hear you discuss in this same connection?

Mr. HOOVER. Yes.

The CHAIRMAN. You have told us that you had no jurisdiction down there in Dallas over this crime.

Mr. HOOVER. That is correct.

The CHAIRMAN. Because there is no Federal crime committed. And I assume that that caused you some embarrassment and some confusion in doing your work?

Mr. HOOVER. It most certainly did.

The CHAIRMAN. Because of the likelihood of your being in conflict with other authorities. Do you believe there should be a Federal law?

Mr. HOOVER. I am very strongly in favor of that.

The CHAIRMAN. Against an attempt to assassinate the President?

Mr. HOOVER. I am very strongly in favor of legislation being enacted and enacted promptly that will make a Federal crime of attempts upon the life of the President and the Vice President, and possibly the next two persons in succession, the Speaker and the President pro tempore of the Senate. In the Oswald case, we could not take custody of him. If we had had jurisdiction we would have taken custody of him and I do not believe he would have been killed by Rubenstein. The failure to have jurisdiction was extremely embarrassing. I think the killing of Oswald has created a great fog of speculation that will go on for years, because of the things that Oswald might have been able to tell which would have been of assistance in pinning down various phases of this matter. This must be done now by collecting evidence from third parties, and not from Oswald himself.

Now, as to the publicity that took place in Dallas, I was very much concerned with that. We have in the FBI a crime laboratory that furnishes free service to all law enforcement agencies of the country. Any law enforcement agency can send to our laboratory here in Washington any evidence—blood, dirt, dust, guns, anything of that kind—and our laboratory examines it and then reports back to the contributing police department. This was being done in the early stages of the Oswald case, and almost as soon as the report would reach the Dallas Police Department, the chief of police or one of the representatives of the department would go on TV or radio and relate findings of the FBI, giving information such as the identification of the gun and other items of physical evidence.

Now, that concerned me for several reasons. In the first place, I don't think cases should be tried in the newspapers. I think a short and simple statement can be made when a person is arrested, but the details of the evidence should be retained until you go into court to try the case. Secondly, it creates a great deal of speculation on the part of the press. There was very aggressive press coverage at Dallas. I was so concerned that I asked my agent in charge at Dallas, Mr. Shanklin, to personally go to Chief Curry and tell him that I insisted that he not go on the air any more until this case was resolved. Until all the evidence had been examined, I did not want any statements made concerning the progress of the investigation. Because of the fact the President had asked me to take charge of the case I insisted that he and all members of his department refrain from public statements.

There was an officer in his department who was constantly on the radio or giving out interviews. The chief concurred in my request and thereafter

refrained from further comment but of course by that time the identification of the gun was known, the caliber of the gun, where it had come from, where it had been bought and the information we had run down in Chicago and had furnished to the Dallas Police Department.

If the case had been in the hands of the FBI none of that information would have been given out. Because of the publicity you had to face the charge that the prejudice of the community would require a change of venue. With the publicity, I don't know where you could have changed the venue to, since newspapers all over the State covered it. I think a Houston reporter was the first one who wrote that Oswald was an informant of the FBI. We went to the newspaper reporter. He refused to tell us his source. He said he had also heard it from other persons. We asked him the names of these persons and we interviewed them but none of them would provide the source. In other words, I was trying to nail down where this lie started. That, of course, is always the result where you are daily giving out press interviews because the press wants stories desperately. We have always adopted the policy in the Bureau of no comment until we have the warrant and make the arrest. Then a release is prepared briefly stating what the facts are, what the written complaint says, the fact. The complaint was filed with the Commissioner, and that ends it. We don't try to run it out for a week or 10 days, It is up to the U.S. attorney thereafter and the court to try the case.

I was concerned about the demand for change of venue, because all the evidence was being given out. At that time, of course, we didn't know that Oswald was going to be killed, and there was a possibility that he might be confronted with some of this evidence. If it had been kept secret and used in the interrogation of him, just confronting him with what was found, such as his picture with the gun might have been helpful.

A small thing can often make a man break and come forward with a full confession. If he knows in advance that you have certain evidence he will be on guard against answering questions. Of course, he is always advised of his rights and that he can have an attorney. We always make a point of this. We generally have a reputable physician of the community present in our office while the prisoner is there, to administer to him and be able to testify that he has not been subjected to third degree methods. He is examined when he comes in and he is examined before we take him to the commissioner. Taking him before the commissioner in a case like Oswald's would probably have been done within 4 or 5 hours. Generally we try to arraign a prisoner within an hour.

That makes it more difficult; you have to work faster. But again I say I am in favor of having the procedures of law enforcement officers as tightly bound down as we can, with due respect for the interests of society.

Of course, there must be an equal balance. For years we have had a rule against third degree methods, but years ago many police departments used the third degree. I think very few of them use it now because if they use it they violate the civil rights statutes and we investigate them for having brutally handled a prisoner. Many allegations are made unfairly against police officers that they have used third degree methods and we are able to prove they haven't in our investigations. That is particularly true where civil rights matters are involved. We have such cases in many areas where civil rights agitation is going on.

Mr. RANKIN. Mr. Hoover, to remind you of my question, any suggestions that you may have concerning the protection of the President, and the information that the Commission has that you have a special appropriation in that connection for the Bureau?

Mr. HOOVER. We do not have a special appropriation for the protection of the President. The Secret Service, of course, has that responsibility. On December 2, I prepared this memorandum for the President, and for the chief of the Secret Service at the request of the President, outlining suggestions that I felt should be considered to tighten up on the security of the President. If the Commission desires I will be glad to leave this or I will be glad to read it to the Commission.

Representative Boggs. Why don't you ask the Director just to summarize it.

Mr. RANKIN. Will you summarize it?

Mr. DULLES. Can we have a copy of it?

Mr. HOOVER. Oh, yes.

Representative FORD. Could the copy be put in the record as an exhibit?

Mr. HOOVER. Yes, sir; that is all right with me. I have no objection to it.

Regarding travel, first, advise the Secret Service as far in advance as possible of the President's travel plans and proposed itinerary. The reason for that is there have been Presidents who suddenly decide they are going somewhere and the Secret Service does not have the chance always to cover the area and check the neighborhood and check the hotel or place where it may be.

Representative BOGGS. You have one like that right now, Mr. Director.

Mr. HOOVER. I know from experience.

Second, avoid publicizing exact routes of travel as long as possible. Again, it has been the practice in the past to announce the President is going along a certain route and, therefore, great crowds will gather along that route. And, therefore, I thought that was something that should not be given out and the President should be taken along some routes which are not announced. At the present time, he goes to cities and he wants to see people and the crowd wants to see him. In Dallas, the route was publicized at least 24 hours before so everybody knew where he would be driving.

Third, use a specially armored car with bulletproof glass and have such cars readily available in locations frequently visited. The President, as I observed earlier in my testimony, had no armored car. He has one now which I supplied to Secret Service and they will have one made no doubt in due time for the President's use. But if it had been armored, I believe President Kennedy would be alive today.

Fourth, avoid setting a specific pattern of travel or other activity such as visiting the same church at the same time each Sunday.

Regarding public appearances. First, use maximum feasible screening of persons in attendance including use of detection devices sensitive to the amount of metal required in a firearm or grenade.

Second, use a bulletproof shield in front of the entire rostrum in public appearances such as the swearing in ceremony at the Capitol on inauguration day, the presidential reviewing stand in front of the White House on the same day and on the rear of trains.

Third, keep to a minimum the President's movements within crowds, remain on the rostrum after the public addresses rather than mingling with the audience. Again, there is great difficulty in that field.

Fourth, in appearances at public sporting events such as football games, remain in one place rather than changing sides during half-time ceremonies. (Discussion off the record.)

Mr. DULLES. About the armored car you said if Kennedy had an armored car that might have saved him. Would the back of the armored car have some protection to protect his head?

Mr. HOOVER. Oh, yes.

Mr. DULLES. Because if the armored car had been open—

Mr. HOOVER. He must never ride in an open car; that has been my recommendation.

Mr. DULLES. The back never comes down?

Mr. HOOVER. The back never comes down, and it is bulletproof. The top, sides, and underpart are all of bulletproof construction. So that except by opening a window and waving through the window the occupant is safe. A person can shoot through the window if the glass window is lowered.

Fifth, limit public appearances by use of television whenever possible.

Sixth, avoid walking in public except when absolutely necessary.

Now, on legislation. First, I recommended that the President and the Vice President be added to the list of Federal officers set out in section 1114, title 18 of the U.S. Code which deals with assaults which are punishable under Federal law.

Mr. RANKIN. You would add to that I understood from your prior remarks, the Speaker and the President Pro Tempore?

Mr. HOOVER. In view of the situation which prevails at the present time the

Speaker and President pro tempore, in other words, the line of succession under the Constitution but not below that.

(Discussion off the record.)

Mr. HOOVER. Second, furnish the Secret Service authority to request assistance and cooperation from other U.S. agencies including the military, particularly in connection with foreign travel.

Now, my reason for that is that sometimes requests for assistance have to clear through red-tape channels here at Washington through some high official of Government. If an emergency arises abroad, or even in this country, it may be of such character that you do not have time to telephone back to Washington or to telephone back to the Pentagon. Aid ought to be immediately available by calling on the local authorities and the nearest military authority.

Third, improve control of the sale of firearms requiring as a minimum registration of every firearm sold together with adequate identification of the purchaser. The problem of firearms control is under extensive debate, in both the House and Senate at the present time.

The gun that Oswald used was bought by mail order from a mail-order house in Chicago, no license for it, no permit for it, no checkup on it. The only way we were able to trace it was to find out where in this country that Italian-made gun was sold. We found the company in Chicago and later the mail-order slip that had been sent by Oswald to Chicago to get the gun. Now, there are arguments, of course——

Mr. DULLES. In a false name.

Mr. HOOVER. In a false name.

There is argument, of course, that by passing firearms legislation you are going to take the privilege of hunting away from the sportsmen of the country. I don't share that view with any great degree of sympathy because you have to get a license to drive an automobile and you have to get a license to have a dog, and I see no reason why a man shouldn't be willing, if he is a law-abiding citizen, to have a license to get a firearm whether it be a rifle or revolver or other firearm.

It is not going to curtail his exercise of shooting for sport because the police make a check of his background. If he is a man who is entitled to a gun, a law-abiding citizen, a permit will be granted.

Of course, today firearms control is practically negligible, and I think some steps should be taken along that line.

Fourth, a ban on picketing within the vicinity of the White House as is now done at the U.S. Capitol and Supreme Court. Some of these pickets are well-meaning and law-abiding individuals, some are for peace and some are more or less dedicated Communists.

Representative Boggs. It is illegal to picket a Federal court now, Mr. Director, I happen to be the author of that law.

Mr. HOOVER. Yes; I am glad you had that law passed. Of course, they picket public buildings, they march around the Department of Justice Building, now and then, but the principal places they prefer to go are the Supreme Court Building, the Capitol and its grounds and the White House.

I think such picketing at the White House, of large or small groups, should be forbidden. I think at the White House they tried to get the pickets to walk across the street along Lafayette Park. That at least takes them away from being close to the gates at the White House. I think there ought to be some control. Picketing, of course, is legitimate if it is orderly. Many times it doesn't continue to be orderly, and sometimes pickets, as in this city, have thrown themselves on the pavement and the police have to come and pick them up or drag them away. Then, of course, the charge is made of brutality right away.

Delegations of colored groups have visited me and asked why I don't arrest a police officer for hitting some Negro whom he is arresting in a sit-in strike, lay-in strike or demonstration in some southern cities.

We have no authority to make an arrest of that kind. Under the authority the Bureau has we have to submit those complaints to the Department of Justice and if they authorize us to make an arrest we will do it.

Those in general are the recommendations I made and I will furnish the committee with a copy of this memorandum.

Mr. RANKIN. Mr. Hoover, I would like to ask you in regard to your recommendations, do you think you have adequately taken into account that the President is not only the Chief Executive but also necessarily a politician under our system?

Mr. HOOPER. I have taken that into account, and I would like to say this off the record.

(Discussion off the record.)

Mr. RANKIN. That is all I have, Mr. Chairman.

The CHAIRMAN. Any other questions, gentlemen?

Representative BOGGS. I would just like to thank the Director again for all the help he has given us.

Mr. HOOPER. I am happy to.

The CHAIRMAN. I would, too, on behalf of the Commission, Mr. Director, I would not only like to thank you for your testimony but for your cooperation that your people have given us throughout this entire investigation.

Mr. HOOPER. Thank you very much.

The CHAIRMAN. I also want to add one other thing, having in mind the testimony you gave that this is still an open investigation, that should anything come to your attention that you believe this Commission has either overlooked or should look into you feel free to ask us to do it.

Mr. HOOPER. I would most certainly do that.

The CHAIRMAN. You do it.

Mr. HOOPER. I want to give all the cooperation I can to this most difficult task you have.

Representative FORD. One question. The other day when we had the State, Justice, Judiciary Appropriation bill before the full Committee on Appropriations—

Mr. HOOPER. Yes.

Representative FORD. And I am not a member of that subcommittee, I noticed a provision in the bill, as I recall, to the effect funds for or something of that content, of FBI responsibilities for the protection of the President.

Mr. HOOPER. There is a provision for funds that we can use for the apprehension of a man who has been declared a fugitive from justice, that is where a man has committed a crime, a warrant is out for him and he has fled or where he has escaped from a penitentiary. I don't recall offhand any specific appropriation for the protection of the President. I will look at the appropriation bill. I may be wrong there but I am quite certain that is so.

Representative FORD. It was my recollection as I was looking at the bill in committee there was a phrase to this effect in the language of the bill. I think it might be helpful for the record to get whatever the history is of that if it is still a matter of the bill or the law.

Mr. HOOPER. I remember that at the time Mr. Curtis was Vice President, he was Senator and then Vice President, at that time he insisted that he wanted FBI agents with him and nobody else. When Mr. Nixon took office as Vice President he was protected by the Secret Service and with Mr. Johnson, it was the same thing.

Secret Service asked us to let them have additional manpower, as a matter of assistance, and we have done so.

Representative FORD. I think it would be helpful if you would have a memorandum prepared.

Mr. HOOPER. I will be glad to.

Representative FORD. Showing the history of this provision from its inception and whether or not it is in the bill or the proposed law for fiscal 1965.

Mr. HOOPER. Yes, sir.

Representative FORD. And the justification you have indicated.

Mr. HOOPER. That was not taken up, I know, in the testimony before the Appropriations Committee. I gave the testimony before the committee in January, and the testimony wasn't released until 2 weeks ago when the bill was reported out. It was not discussed in the hearings.

Mr. RANKIN. Mr. Chairman, in order to complete the record, may I ask to

have the number 866 assigned to the memo that Mr. Hoover is going to send about protection of the President, and have it admitted to this record under that number.

The CHAIRMAN. Yes; it may be.

Representative FORD. Also a number for this letter Mr. Hoover is going to submit.

Mr. RANKIN. May I assign 867?

The CHAIRMAN. Yes.

(Commission Exhibit Nos. 866 and 867 were marked for identification and received in evidence.)

TESTIMONY OF JOHN A. McCONE AND RICHARD M. HELMS

The CHAIRMAN. The Commission will be in order.

Director McCone, it is customary for the Chairman to make a short statement to the witness as to the testimony that is expected to be given. I will read it at this time.

Mr. McCone will be asked to testify on whether Lee Harvey Oswald was ever an agent, directly or indirectly, or an informer or acting on behalf of the Central Intelligence Agency in any capacity at any time, and whether he knows of any credible evidence or of any conspiracy either domestic or foreign involved in the assassination of President Kennedy, also with regard to any suggestions and recommendations he may have concerning improvements or changes in provisions for the protection of the President of the United States.

Would you please rise and be sworn? Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCONE. I do.

The CHAIRMAN. Will you be seated, please? Mr. Rankin will conduct the examination.

Mr. RANKIN. Mr. McCone, will you state your name?

Mr. McCONE. My name is John Alex McCone.

Mr. RANKIN. Do you have an official position with the U.S. Government?

Mr. McCONE. Yes, sir; I am Director of Central Intelligence.

Mr. RANKIN. Have you been Director for some time?

Mr. McCONE. Yes; a little over 2½ years.

Mr. RANKIN. Where do you live, Mr. McCone?

Mr. McCONE. I live at 3025 Whitehaven Street in Washington.

Mr. RANKIN. Are you familiar with the records and how they are kept by the Central Intelligence Agency as to whether a man is acting as an informer, agent, employee, or in any other capacity for that Agency?

Mr. McCONE. Yes; I am generally familiar with the procedures and the records that are maintained by the Central Intelligence Agency. Quite naturally, I am not familiar with all of the records because they are very extensive.

Mr. RANKIN. Have you determined whether or not Lee Harvey Oswald, the suspect in connection with the assassination of President Kennedy, had any connection with the Central Intelligence Agency, informer or indirectly as an employee, or any other capacity?

Mr. McCONE. Yes; I have determined to my satisfaction that he had no such connection, and I would like to read for the record—

Mr. RANKIN. Will you tell us briefly the extent of your inquiry?

Mr. McCONE. In a form of affidavit, I have gone into the matter in considerable detail personally, in my inquiry with the appropriate people within the Agency, examined all records in our files relating to Lee Harvey Oswald. We had knowledge of him, of course, because of his having gone to the Soviet Union, as he did, putting him in a situation where his name would appear in our name file. However, my examination has resulted in the conclusion that Lee Harvey Oswald was not an agent, employee, or informant of the Central Intelligence Agency. The Agency never contacted him, interviewed him, talked with him, or received or solicited any reports or information from him, or communicated with him directly or in any other manner. The Agency never fur-